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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

COALITION FOR ICANN
TRANSPARENCY INC., a Delaware
corporation,

Plaintiff,

v.

VERISIGN, INC., a Delaware corporation;

Defendant.

Case No. 5:05-CV-04826 (RMW) PVT
STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE HEARING DATE ON
VERISIGN, INC.'S MOTIONS TO
COMPEL AND CERTAIN PROSPECTIVE
PRE-TRIAL DEADLINES;
DECLARATION OF ANGEL L. TANG

Defendant VeriSign, Inc. ("VeriSign") and plaintiff Coalition for ICANN Transparency Inc. ("CFIT") submit this stipulation, based on the following facts, to continue 1) the hearing date on VeriSign's motions to compel further discovery responses to the first and second sets of document requests and first set of interrogatories, and 2) the deadlines for filing expert and rebuttal disclosures and/or reports.

On May 3, 2006, the parties submitted to the Court the following schedule of proposed pretrial and trial dates:

Deadline to file motion to add parties or amend pleadings	October 13, 2006
Completion of all fact discovery	March 1, 2007
Deadline to file any fact discovery motions	March 6, 2007
Exchange expert disclosures/reports	March 30, 2007
Exchange rebuttal expert disclosures/reports	May 3, 2007
Completion of all expert discovery	June 8, 2007
Deadline to file any expert discovery motions	June 19, 2007
Deadline for completion of ADR process	July 14, 2006
Deadline for filing summary judgment motions	July 27, 2007
Final Pretrial Conference	November 1, 2007
Trial	December 3, 2007

[Docket No. 161]. The proposed schedule was adopted and entered by the Court in its minute order of May 5, 2006. [Docket No. 164].

On March 6, 2007, pursuant to the schedule above, VeriSign filed motions to compel further discovery responses to its first and second sets of document requests and first set of interrogatories ("Motions to Compel"). [Docket Nos. 190-194.] The Motions to Compel are currently scheduled

1 for oral argument on April 10, 2007. Under the current schedule, the opposition of CFIT is due on
2 March 20, 2007 and the reply of VeriSign is due on March 27, 2007.

3 On March 9, 2007, three days after VeriSign filed its Motions to Compel, the Court heard
4 oral argument on VeriSign's motion to dismiss CFIT's second amended complaint ("Motion to
5 Dismiss"). Following the hearing, the Court took the matter under submission. In its tentative
6 ruling issued the day prior to the hearing, the Court granted VeriSign's Motion to Dismiss in its
7 entirety with prejudice. To date, the parties have not received the Court's final order on VeriSign's
8 Motion to Dismiss.

9 Because the parties are awaiting the Court's final determination on the Motion to Dismiss,
10 which potentially could dispose of this entire action, the parties have agreed to enter into the
11 following stipulation to continue the hearing on VeriSign's Motions to Compel and certain other
12 prospective pretrial deadlines for the sake of economy and to prevent the unnecessary expenditure
13 of time and resources on motions and discovery matters that may be soon rendered moot by the
14 Court's order on VeriSign's Motion to Dismiss.

15 Based on the foregoing facts VeriSign and CFIT, through their respective counsel of record,
16 and pursuant to Northern District Local Civil Rule 6-2(a), hereby stipulate and agree as follows:

17 (1) VeriSign's motions to compel further discovery responses on its first and second sets
18 of document requests and first set of interrogatories, which are currently scheduled for hearing on
19 April 10, 2007, shall be taken off calendar. VeriSign shall be entitled to re-file and re-notice the
20 Motions to Compel within twenty (20) days of service of the Court's final order on VeriSign's
21 pending Motion to Dismiss.

22 (2) The deadline for exchange of expert disclosures and/or reports shall be continued
23 from March 30, 2007 to April 30, 2007; and the deadline for exchange of rebuttal expert disclosures
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1 and/or reports shall be continued from May 3, 2007 to May 15, 2007. No other pretrial dates,
2 including the trial date, are affected by this stipulation.

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4 Dated: March 20, 2007

ARNOLD & PORTER LLP
ANGEL L. TANG

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6 By: 

ANGEL L. TANG
Attorneys for Defendant VeriSign, Inc.

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10 Dated: March 20, 2007

CATHCART COLLINS LLP
IMANI GANDY

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12 By: 

IMANI GANDY
Attorneys for Plaintiff Coalition for
ICANN Transparency Inc.

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17 **ORDER**

18 PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

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21 DATE 3/20/07



~~HON. RONALD M. WHITE~~
~~DISTRICT COURT JUDGE~~

Hon. Patricia V. Trumbull
Magistrate Judge